

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

JOYCE WILLIAMS,)	
Charging Party,)	
)	CASE NO. 0011009677
vs.)	
)	
PARK COUNTY TREASURER,)	ORDER AFFIRMING
Respondent.)	DISMISSAL

The above-captioned matter came before the Montana Human Rights Commission (Commission) on November 15, 2001. The matter was before the Commission for consideration of the Charging Party's objection to the dismissal of the complaint. Oral argument was not requested and the matter was considered on the record.

After reviewing the record, the Commission finds that the Human Rights Bureau properly dismissed the matter. The records shows that Charging Party failed to state a prima facie case of employment discrimination based upon age. The record supports the investigator's finding that Charging Party did not prove by a preponderance of the evidence that she was subjected to harassment in the work place based upon her age that was so pervasive it altered the conditions of her employment. In addition, the evidence supports the investigator's finding that Charging Party's employment ended due to her refusal to respond to her employer's requests for information on her medical leave taken. The investigator did not abuse her discretion when she issued a notice of dismissal. 24.9.1714(3), ARM. Accordingly, the notice of dismissal must be affirmed.

IT IS HEREBY ORDERED, that the Charging Party's objection is unanimously overruled and the notice of dismissal is affirmed.

Dated this __ day of November, 2001.

Gary Hindoien, Chair
Montana Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned employee of the Human Rights Bureau certifies that a true copy of the foregoing **ORDER AFFIRMING DISMISSAL** was served on the following persons by U.S. Mail, postage prepaid, on November ____, 2001

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